

104TH CONGRESS  
2D SESSION

# S. 1830

To amend the NATO Participation Act of 1994 to expedite the transition to full membership in the North Atlantic Treaty Organization of emerging democracies in Central and Eastern Europe.

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## IN THE SENATE OF THE UNITED STATES

JUNE 4, 1996

Mr. BROWN for Mr. DOLE (for himself, Mr. BROWN, Mr. ROTH, Mr. HELMS, Mr. MCCAIN, Mr. SPECTER, Mr. SANTORUM, Mr. McCONNELL, and Mr. GORTON) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To amend the NATO Participation Act of 1994 to expedite the transition to full membership in the North Atlantic Treaty Organization of emerging democracies in Central and Eastern Europe.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “NATO Enlargement  
5 Facilitation Act of 1996”.

### 6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

1           (1) Since 1949, the North Atlantic Treaty Or-  
2           ganization (NATO) has played an essential role in  
3           guaranteeing the security, freedom, and prosperity  
4           of the United States and its partners in the Alliance.

5           (2) The NATO Alliance is, and has been since  
6           its inception, purely defensive in character, and it  
7           poses no threat to any nation. The enlargement of  
8           the NATO Alliance to include as full and equal  
9           members emerging democracies in Central and East-  
10          ern Europe does not threaten any nation. America's  
11          security, freedom, and prosperity remain linked to  
12          the security of the countries of Europe.

13          (3) The sustained commitment of the member  
14          countries of NATO to a mutual defense has made  
15          possible the democratic transformation of Eastern  
16          Europe. Members of the Alliance can and should  
17          play a critical role in addressing the security chal-  
18          lenges of the post-Cold War era and in creating the  
19          stable environment needed for those emerging de-  
20          mocracies in Central and Eastern Europe to success-  
21          fully complete political and economic transformation.

22          (4) NATO has enlarged its membership on 3  
23          different occasions since 1949.

24          (5) Congress has sought to facilitate the further  
25          enlargement of NATO at an early date by enacting

1 the NATO Participation Act of 1994 (title II of  
2 Public Law 103–447; 22 U.S.C. 1928 note) and the  
3 NATO Participation Act Amendments of 1995 (sec-  
4 tion 585 of Public Law 104–107).

5 (6) As new members of NATO assume the re-  
6 sponsibilities of Alliance membership, the costs of  
7 maintaining stability in Europe will be shared more  
8 widely. Facilitation of the enlargement process will  
9 require current members of NATO, and the United  
10 States in particular, to demonstrate the political will  
11 needed to build on successful ongoing programs such  
12 as the Warsaw Initiative and the Partnership for  
13 Peace by making available the resources necessary to  
14 supplement efforts prospective new members are  
15 themselves undertaking.

16 (7) New members will be full members of the  
17 Alliance, enjoying all rights and assuming all the ob-  
18 ligations under the Washington Treaty.

19 (8) Cooperative regional peacekeeping initiatives  
20 involving emerging democracies in Central and East-  
21 ern Europe that have expressed interest in joining  
22 NATO, such as the Baltic Peacekeeping Battalion,  
23 the Polish-Lithuanian Joint Peacekeeping Force,  
24 and the Polish-Ukrainian Peacekeeping Force, can  
25 make an important contribution to European peace

1       and security and international peacekeeping efforts,  
2       assist those countries preparing to assume the re-  
3       sponsibilities of possible NATO membership, and ac-  
4       cordingly should receive appropriate support from  
5       the United States.

6           (9) The United States continues to regard the  
7       political independence and territorial integrity of all  
8       emerging democracies in Central and Eastern Eu-  
9       rope as vital to European peace and security.

10          (10) NATO remains the only multilateral secu-  
11       rity organization capable of conducting effective  
12       military operations and preserving security and sta-  
13       bility of the Euro-Atlantic region.

14          (11) NATO is an important diplomatic forum  
15       and has played a positive role in defusing tensions  
16       between members of the Alliance and, as a result, no  
17       military action has occurred between two Alliance  
18       member states since the inception of NATO in 1949.

19          (12) The admission to NATO of emerging de-  
20       mocracies in Central and Eastern Europe that meet  
21       specific criteria for NATO membership would con-  
22       tribute to international peace and enhance the secu-  
23       rity of the region.

24          (13) A number of Eastern European countries  
25       have expressed interest in NATO membership, and

1        have taken concrete steps to demonstrate this com-  
2        mitment; including their participation in Partnership  
3        for Peace activities.

4            (14) In recognition that not all countries which  
5        have requested membership in NATO will nec-  
6        essarily qualify at the same pace, the accession date  
7        for each new member will vary.

8            (15) The eventual membership of Austria, Fin-  
9        land, and Sweden is fully expected and is not pre-  
10       cluded by this Act.

11           (16) The provision of additional NATO transi-  
12       tion assistance should include those emerging de-  
13       mocracies most ready for closer ties with NATO and  
14       should be designed to assist other countries meeting  
15       specified criteria of eligibility to move forward to-  
16       ward eventual NATO membership.

17           (17) The Congress of the United States finds  
18       that Poland, Hungary, and the Czech Republic have  
19       made the most progress toward achieving the stated  
20       criteria and should be eligible for the additional as-  
21       sistance described in this bill.

22           (18) The evaluation of future membership in  
23       NATO for emerging democracies in Central and  
24       Eastern Europe should be based on the progress of  
25       those nations in meeting criteria for NATO member-

1 ship, which require enhancement of NATO's security  
2 and the approval of all NATO members.

3 **SEC. 3. UNITED STATES POLICY.**

4 It should be the policy of the United States—

5 (1) to join with the NATO allies of the United  
6 States to redefine the role of the NATO Alliance in  
7 the post-Cold War world;

8 (2) to actively assist the emerging democracies  
9 in Central and Eastern Europe in their transition so  
10 that such countries may eventually qualify for  
11 NATO membership; and

12 (3) to work to define a constructive and cooper-  
13 ative political and security relationship between an  
14 enlarged NATO and the Russian Federation.

15 **SEC. 4. SENSE OF THE CONGRESS.**

16 It is the sense of the Congress that in order to pro-  
17 mote economic stability and security in Estonia, Latvia,  
18 Lithuania, Slovenia, Slovakia, Bulgaria, Romania, Alba-  
19 nia, Moldova, and Ukraine—

20 (1) the United States should support the full  
21 and active participation of these countries in activi-  
22 ties appropriate for qualifying for NATO member-  
23 ship;

24 (2) the United States Government should use  
25 all diplomatic means available to press the European

1 Union to admit as soon as possible any country  
2 which qualifies for membership; and

3 (3) the United States Government and the  
4 North Atlantic Treaty Organization should support  
5 military exercises and peacekeeping initiatives be-  
6 tween and among these nations, nations of the  
7 North Atlantic Treaty Organization, and Russia.

8 **SEC. 5. DESIGNATION OF COUNTRIES ELIGIBLE FOR NATO**  
9 **ENLARGEMENT ASSISTANCE.**

10 (a) IN GENERAL.—The following countries are des-  
11 ignated as eligible to receive assistance under the program  
12 established under section 203(a) of the NATO Participa-  
13 tion Act of 1994: Poland, Hungary, and the Czech Repub-  
14 lic.

15 (b) DESIGNATION OF OTHER COUNTRIES.—The  
16 President shall designate other emerging democracies in  
17 Central and Eastern Europe as eligible to receive assist-  
18 ance under the program established under section 203(a)  
19 of such Act if such countries—

20 (1) have expressed a clear desire to join NATO;

21 (2) have begun an individualized dialogue with  
22 NATO in preparation for accession;

23 (3) are strategically significant to an effective  
24 NATO defense; and

1           (4) have met the other criteria outlined in sec-  
 2           tion 203(d) of the NATO Participation Act of 1994  
 3           (title II of Public Law 103–447; 22 U.S.C. 1928  
 4           note).

5           (c) **RULE OF CONSTRUCTION.**—Subsection (a) does  
 6           not preclude the designation by the President of Slovakia,  
 7           Estonia, Latvia, Lithuania, Romania, Slovenia, or any  
 8           other emerging democracy in Central and Eastern Europe  
 9           pursuant to section 203(d) of the NATO Participation Act  
 10          of 1994 as eligible to receive assistance under the program  
 11          established under section 203(a) of such Act.

12   **SEC. 6. AUTHORIZATION OF APPROPRIATIONS FOR NATO**  
 13                           **ENLARGEMENT ASSISTANCE.**

14          (a) **IN GENERAL.**—There are authorized to be appro-  
 15          priated \$60,000,000 for fiscal year 1997 for the program  
 16          established under section 203(a) of the NATO Participa-  
 17          tion Act of 1994.

18          (b) **AVAILABILITY.**—Of the funds authorized to be  
 19          appropriated by subsection (a)—

20               (1) \$20,000,000 shall be available for the sub-  
 21               sidy cost, as defined in section 502(5) of the Credit  
 22               Reform Act of 1990, of direct loans pursuant to the  
 23               authority of section 203(c)(4) of the NATO Partici-  
 24               pation Act of 1994 and section 23 of the Arms Ex-



1 port Control Act (relating to the “Foreign Military  
2 Financing Program”);

3 (2) \$30,000,000 shall be available for assist-  
4 ance on a grant basis pursuant to the authority of  
5 section 203(c)(4) of the NATO Participation Act of  
6 1994 and section 23 of the Arms Export Control  
7 Act (relating to the “Foreign Military Financing  
8 Program”); and

9 (3) \$10,000,000 shall be available for assist-  
10 ance pursuant to the authority of section 203(c)(3)  
11 of the NATO Participation Act of 1994 and chapter  
12 5 of part II of the Foreign Assistance Act of 1961  
13 (relating to international military education and  
14 training).

15 (c) RULE OF CONSTRUCTION.—Amounts authorized  
16 to be appropriated under this section are authorized to  
17 be appropriated in addition to such amounts as otherwise  
18 may be available for such purposes.

19 **SEC. 7. EXCESS DEFENSE ARTICLES.**

20 (a) PRIORITY DELIVERY.—Notwithstanding any  
21 other provision of law, the provision and delivery of excess  
22 defense articles under the authority of section 203(c) (1)  
23 and (2) of the NATO Participation Act of 1994 and sec-  
24 tion 516 of the Foreign Assistance Act of 1961 shall be  
25 given priority to the maximum extent feasible over the pro-

1 vision and delivery of such excess defense articles to all  
2 other countries except those countries referred to in sec-  
3 tion 541 of the Foreign Operations, Export Financing,  
4 and Related Programs Appropriations Act, 1995 (Public  
5 Law 103–306; 108 Stat. 1640).

6 (b) COOPERATIVE REGIONAL PEACEKEEPING INITIA-  
7 TIVES.—The Congress encourages the President to pro-  
8 vide excess defense articles and other appropriate assist-  
9 ance to cooperative regional peacekeeping initiatives in-  
10 volving emerging democracies in Central and Eastern Eu-  
11 rope that have expressed an interest in joining NATO in  
12 order to enhance their ability to contribute to European  
13 peace and security and international peacekeeping efforts.

14 **SEC. 8. MODERNIZATION OF DEFENSE CAPABILITY.**

15 The Congress endorses efforts by the United States  
16 to modernize the defense capability of Poland, Hungary,  
17 the Czech Republic, and any other countries designed by  
18 the President pursuant to section 203(d) of the NATO  
19 Participation Act of 1994, by exploring with such coun-  
20 tries options for the sale or lease to such countries of  
21 weapons systems compatible with those used by NATO  
22 members, including air defense systems, advanced fighter  
23 aircraft, and telecommunications infrastructure.

1 **SEC. 9. TERMINATION OF ELIGIBILITY.**

2 (a) IN GENERAL.—Section 203(f) of the NATO Par-  
3 ticipation Act of 1994 (title II of Public Law 103–447;  
4 22 U.S.C. 1928 note) is amended to read as follows:

5 “(f) TERMINATION OF ELIGIBILITY.—(1) The eligi-  
6 bility of a country designated under subsection (d) for the  
7 program established in subsection (a) shall terminate 60  
8 days after the President makes a certification under para-  
9 graph (2) unless, within the 60-day period, the Congress  
10 enacts a joint resolution disapproving the termination of  
11 eligibility.

12 “(2) Whenever the President determines that the gov-  
13 ernment of a country designated under subsection (d)—

14 “(A) no longer meets the criteria set forth in  
15 subsection (d)(2)(A);

16 “(B) is hostile to the NATO Alliance; or

17 “(C) poses a national security threat to the  
18 United States,

19 then the President shall so certify to the appropriate con-  
20 gressional committees.

21 “(3) Nothing in this Act affects the eligibility of  
22 countries to participate under other provisions of law in  
23 programs described in this Act.”.

24 (b) CONGRESSIONAL PRIORITY PROCEDURES.—Sec-  
25 tion 203 of such Act is amended by adding at the end  
26 the following new subsection:

1 “(g) CONGRESSIONAL PRIORITY PROCEDURES.—

2 “(1) APPLICABLE PROCEDURES.—A joint reso-  
 3 lution described in paragraph (2) which is intro-  
 4 duced in a House of Congress shall be considered in  
 5 accordance with the procedures set forth in para-  
 6 graphs (3) through (7) of section 8066(c) of the De-  
 7 partment of Defense Appropriations Act, 1985 (as  
 8 contained in Public Law 98–473; 98 Stat. 1936), ex-  
 9 cept that—

10 “(A) references to the ‘resolution described  
 11 in paragraph (1)’ shall be deemed to be ref-  
 12 erences to the joint resolution; and

13 “(B) references to the Committee on Ap-  
 14 propriations of the House of Representatives  
 15 and the Committee on Appropriations of the  
 16 Senate shall be deemed to be references to the  
 17 Committee on International Relations of the  
 18 House of Representatives and the Committee  
 19 on Foreign Relations of the Senate, respec-  
 20 tively.

21 “(2) TEXT OF JOINT RESOLUTION.—A joint  
 22 resolution under this paragraph is a joint resolution  
 23 the matter after the resolving clause of which is as  
 24 follows: ‘That the Congress disapproves the certifi-  
 25 cation submitted by the President on \_\_\_\_\_’

1       pursuant to section 203(f) of the NATO Participa-  
 2       tion Act of 1994.’.”.

3   **SEC. 10. AMENDMENTS TO THE NATO PARTICIPATION ACT.**

4       (a) CONFORMING AMENDMENT.—The NATO Par-  
 5       ticipation Act of 1994 (title II of Public Law 103–447;  
 6       22 U.S.C. 1928 note) is amended in sections 203(a),  
 7       203(d)(1), and 203(d)(2) by striking “countries emerging  
 8       from communist domination” each place it appears and  
 9       inserting “emerging democracies in Central and Eastern  
 10      Europe”.

11      (b) DEFINITIONS.—The NATO Participation Act of  
 12      1994 (title II of Public Law 103–446; 22 U.S.C. 1928  
 13      note) is amended by adding at the end the following new  
 14      section:

15   **“SEC. 206. DEFINITIONS.**

16      “The term ‘emerging democracies in Central and  
 17      Eastern Europe’ includes, but is not limited to, Albania,  
 18      Bulgaria, the Czech Republic, Estonia, Hungary, Latvia,  
 19      Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia,  
 20      and Ukraine.”.

21   **SEC. 11. DEFINITIONS.**

22      As used in this Act:

23           (1) EMERGING DEMOCRACIES IN CENTRAL AND  
 24      EASTERN EUROPE.—The term “emerging democ-  
 25      racies in Central and Eastern Europe” includes, but

1 is not limited to, Albania, Bulgaria, the Czech Re-  
2 public, Estonia, Hungary, Latvia, Lithuania,  
3 Moldova, Poland, Romania, Slovakia, Slovenia, and  
4 Ukraine.

5 (2) NATO.—The term “NATO” means the  
6 North Atlantic Treaty Organization.

○